

1-31-05

JF-10

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/789,538-Conf. #9452
		Filing Date	February 27, 2004
		First Named Inventor	Stewart Townsend
		Art Unit	1761
		Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission		Attorney Docket Number	HO-P02873US0

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Cited References Return Receipt Postcard Certificate of Express Mailing
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	FULBRIGHT & JAWORSKI L.L.P.		
Signature			
Printed name	Jan K. Simpson	Reg. No.	33,283
Date	January 28, 2005		



Docket No.: HO-P02873US0
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Stewart Townsend et al.

Application No.: 10/789,538

Confirmation No.: 9452

Filed: February 27, 2004

Art Unit: 1761

For: **NUTRITIONALLY COMPLETE PET FOOD
AND METHOD OF FEEDING AND
MANUFACTURING SAME**

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

A copy of each foreign patent and non-patent reference listed on the PTO/SB/08 is attached.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

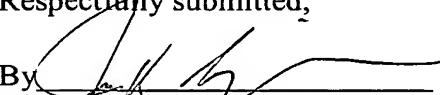
It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 06-2375, under Order No. HO-P02873US0.

Dated: January 28, 2005

Respectfully submitted,

By


Jan K. Simpson

Registration No.: 33,283

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Application No. (if known): 10/789,538

Attorney Docket No.: HO-P02873US0

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Transmittal (1 page)
Information Disclosure Statement (2 pages)
IDS (Citation) by Applicant (2 pages)
Cited References
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PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB C651-C031

U. S. Patent and Trademark Office: U. S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO				Complete if Known	
				Application Number	10/789,538
				Filing Date	February 27, 2004
				First Named Inventor	Stewart Townsend
				Art Unit	1761
				Examiner Name	Not Yet Assigned
Sheet	1	of	2	Attorney Docket Number	HO-P02873US0

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
AA*	US-2004/0219260	11-04-2004	Anderson et al		
AB	US-2003/0021872	01-30-2003	Cupp et al.		
AC	US-2002/0150650	10-17-2002	Cupp et al.		
AD	US-2002/0090444	07-11-2002	Cupp et al.		
AE	US-5,431,927	07-11-1995	Hand et al.		
AF	US-4,260,635	04-07-1981	Fisher		
AG	US-4,032,665	06-28-1977	Miller et al.		
AH	US-4,900,572	02-13-1990	Repholz et al.		
AI	US-3,916,029	10-28-1975	Hildebolt		
AJ	US-4,777,058	10-11-1988	Chandler et al.		
AK	US-6,117,477	09-12-2000	Paluch		

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
BA	GB-2 194 125		03-02-1988	Forebel		
BB	EP-0 558 774		01-22-1997	Geromini et al.		

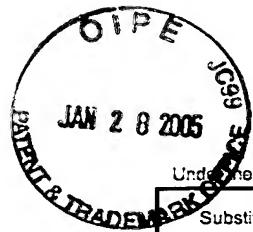
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See attached Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the application number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
CA	Purina Busy Bone; Beef Flavor Dog Treat for Small/Medium Dogs; www.purina.com/BusyBone/small.com website; January 25, 2005		
CB	Purina Busy Bone; Beef Flavor Dog Treat for Large Dogs; www.purina.com/BusyBone/Large.asp ; January 25, 2005		
CC	Think Treats; New Chew lotta; www.meatybone.com/pages/dogtreats/meatybone/chewlotta.asp website; January 25, 2005		
CD	Hill's - The Global Leader in Pet Nutrition; Canine t/d® Small Bites; For the Nutritional Management of Dogs with Dental Disease; www.hillspet.com website; January 14, 2005		
CE	Hill's - The Global Leader in Pet Nutrition; Canine t/d®; For the Nutritional Management od Dogs with Dental Disease; www.hillspet.com website; January 14, 2005		
CF	Purina - Dogwiches™ brand Dog Snack; www.purina.com/dogwiches/mini.asp website; January 25, 2005		
CG	Pedigree; Pedigree Jumbone for Large Dogs; Snacks & Treats Nutrition for Adult Dogs; www.pedigree.com website; January 25		
CH	Pedigree; Pedigree Dentabone (Large); Snacks & Treats Nutrition for Adult Dogs; www.pedigree.com website; January 25, 2005		
CI	Milk-Bone; Treats made for the doge in your life; www.milkbone.com website; January 25, 2005		

Examiner Signature	Date Considered
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PTO/SB/08A (10-01)

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				Art Unit	1761
				Examiner Name	Not Yet Assigned
Sheet	2	of	2	Attorney Docket Number	HO-P02873US0

CJ	Pet Pride Dog Gone Deli; Sausage Style Snacks outside packaging advertisement
CK	Purina - Butcher's Burger outside packaging advertisement
CK	Pet Pride; Dental Chew Bone outside packaging advertisement

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature	Date Considered	
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